

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES—GENERAL

Case No. CV 24-00402-MWF (MARx)

Date: May 17, 2024

Title: Main Street Senior Living, LLC v. Everest Oceanside Blessing Star, LLC et al.

Present: The Honorable MICHAEL W. FITZGERALD, U.S. District Judge

Deputy Clerk:
Rita Sanchez

Court Reporter:
Not Reported

Attorneys Present for Plaintiff:
None Present

Attorneys Present for Defendants:
None Present

**Proceedings (In Chambers): ORDER TO SHOW CAUSE AND ACCEPTING
FIRST AMENDED COMPLAINT**

On May 15, 2024, the parties filed a Stipulation to amend the Complaint. (Docket No. 49). On May 16, 2024, Plaintiff Main Street Senior Living, LLC filed a Notice of Errata withdrawing the proposed order attached to the Stipulation. (Docket No. 50). Plaintiff then filed the First Amended Complaint (the “FAC”). (Docket No. 51). Based on the submitted documents and pursuant to Federal Rule of Civil Procedure 15(a)(2), the Court accepts the FAC as filed, and Defendants’ response to the FAC is due no later than May 31, 2024.

The Court **ORDERS** Plaintiff to show cause, in writing, why its Application for Preliminary Injunction (Docket No. 30) and Notice of Request to Cross-Examine Defendants’ Declarant Charlene Lee at the Preliminary Hearing (Docket No. 44) should not be denied as moot. *See Perrin Bernard Supowitz, LLC v. Morales*, No. 2:22-cv-02120-ODW (JEMx), 2022 WL 3686407, at *2 (C.D. Cal. Aug. 25, 2022) (granting motion for leave to amend complaint and denying as moot a motion for preliminary injunction on the ground that it was based on a now-inoperative complaint).

Plaintiff shall file a response to this Order to Show Cause no later than **May 24, 2024**.

No oral argument on this matter will be heard unless otherwise ordered by the Court. *See* Fed. R. Civ. P. 78; Local Rule 7-15. The Order will stand submitted upon

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the filing of the response to the Order to Show Cause. Failure to respond to this Order to Show Cause by **May 24, 2024**, will result in the denial as moot of Plaintiff's Application for Preliminary Injunction (Docket No. 30) and Notice of Request to Cross-Examine Defendants' Declarant Charlene Lee at the Preliminary Hearing (Docket No. 44).

IT IS SO ORDERED.